

Mr. LONG. Mr. President, are there other amendments at the desk? If so, would the Chair inform me what amendments are at the desk?

The PRESIDING OFFICER. There are two amendments at the desk.

Mr. LONG. Mr. President, I ask unanimous consent that the amendments which are at the desk which are germane be considered as read, reserving the right of any Senator to challenge the germaneness of any measure.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CURTIS. Reserving the right to object—

Mr. ROTH. I object.

The PRESIDING OFFICER. Objection is heard.

ORDER FOR AMENDMENTS TO H.R. 421, UPHOLSTERY REGULATORS, TO BE CONSIDERED, AS HAVING MET REQUIREMENTS OF RULE XXII

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that any amendments that are presently at the desk be considered as having met the reading requirements only under the rule.

This is customary.

Mr. CURTIS. Will the Senator state that again, please?

Mr. ROBERT C. BYRD. I ask unanimous consent that any amendments that are at the desk be considered as having met the reading requirements of the rule.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. MONDALE. Mr. President, I ask unanimous consent that Mr. Jim Verdier, of my staff, be given floor privileges during the consideration of this measure.

The PRESIDING OFFICER. Without objection, it is so ordered.

Who yields time?

Mr. LONG. I yield to the Senator from West Virginia 30 seconds.

Mr. ROBERT C. BYRD. Mr. President, I ask that the backup vote following the vote on cloture be limited to 10 minutes, with the first bell to sound after 2½ minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. LONG. After cloture is voted, assuming that will be the case, if an amendment is ruled not to be germane and appeal is taken from the ruling of the Chair, is that appeal debatable or not debatable?

The PRESIDING OFFICER. That appeal is not debatable except to the extent of the 1-hour time limitation of each Senator.

Mr. LONG. So each Senator, within the 1 hour available to him, can debate the germaneness?

The PRESIDING OFFICER. Yes. A Senator can talk on anything within the 1 hour.

Who yields time?

Mr. CURTIS. Mr. President, may I inquire if there is any Senator desiring time on this tax bill?

Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator from Arizona has 5 minutes, and the Senator from Louisiana has 7 minutes.

Who yields time?

Mr. CURTIS. I yield 1 minute to the distinguished Senator from Idaho.

Mr. McCURE. I thank the Senator for yielding.

I ask unanimous consent that Douglas Smith, Jim Fields, and Dick Thompson, be accorded the privilege of the floor during all stages of the proceeding on this legislation and the other vote which is pending.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERT C. BYRD. Mr. President, will the Senator from Louisiana yield for 1 minute?

Mr. LONG. I yield.

Mr. ROBERT C. BYRD. I yield the 1 minute to Mr. HUDDLESTON.

TRAVEL EXPENSES AMENDMENTS ACT OF 1974—CONFERENCE REPORT

Mr. HUDDLESTON. Mr. President, I submit a report of the committee of conference on S. 3341, and ask for its immediate consideration.

The PRESIDING OFFICER (Mr. JOHNSTON). The report will be stated by title.

The legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3341) to revise certain provisions of title 5, United States Code, relating to per diem and mileage expenses of employees and other individuals traveling on official business, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by all the conferees.

The PRESIDING OFFICER. Is there objection to the consideration of the conference report?

There being no objection, the Senate proceeded to consider the report.

(The conference report is in the House proceedings of today's CONGRESSIONAL RECORD.)

Mr. HUDDLESTON. Mr. President, the purpose of this legislation is to increase the amounts which may be paid to regular employees of the Federal Government and to experts and consultants employed intermittently, who are traveling on official business, with respect to per diem in lieu of subsistence and reimbursement when payment of actual expenses is authorized. The legislation would also increase the mileage rates for the use of privately owned vehicles used while on official business. These objectives would be met by amending existing travel expense legislation so as to more closely reflect the increased cost of official travel at the present time.

The legislation also establishes a procedure to adjust on a periodic basis the per diem mileage reimbursement figures for employees who travel on official business.

The conference report provides that the per diem rate shall be increased to "not to exceed \$35." The Senate receded from its position of imposing a statutory

floor on the per diem rate. However, the General Services Administration, the primary agency designated responsibilities under this act, has said it will establish immediately the per diem rate at \$30. I feel it important that the General Services Administration letter to Senator METCALF concerning the per diem rate be printed in the RECORD at this point, for which I ask unanimous consent.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

GENERAL SERVICES ADMINISTRATION,
Washington, D.C., November 26, 1974.
Hon. LEE METCALF,
U.S. Senate,
Washington, D.C.

DEAR SENATOR METCALF: In a previous letter to you on October 11, 1974, we expressed our views on the House- and Senate-passed versions of S. 3341 which would revise certain provisions of Title 5, United States Code, relating to per diem and mileage expenses of Government employees, and for other purposes. Since then, we are advised that additional discussions have taken place with the joint conferees which indicate the possibility of a \$25 minimum and \$35 ceiling for per diem allowances and a 15 cents minimum and 18 cents ceiling for mileage allowances, among other things.

May we take this opportunity to express the Administration's strong support of your vigorous efforts to establish more equitable expense allowances by raising the statutory ceiling for per diem and mileage expenses. We heartily support the \$35 ceiling. However, may we also voice the Administration's strong concern over the inequities inherent in a "minimum rate" concept and the unnecessary and unfair conditions created by the institution of such a system:

1. GENERAL

It has been a long established statutory procedure to reimburse Government travelers for reasonable expenses of travel up to a ceiling established in law. In the 1950's the ceiling was \$12, in the 1960's the ceiling was \$16, and in 1969 the present \$25 ceiling was decreed by statute. The problem has always been the need to raise the ceiling and never to reimburse travelers at amounts less than the ceiling.

Throughout this period, agency heads have been given the necessary flexibility to establish criteria governing fair reimbursement to the traveler. When certain conditions exist, it is only fair and proper to reimburse travelers at a rate less than when he incurs all normal costs. For example, if the traveler stays with friends or relatives, if quarters/meals are furnished by the Government or at a reduced cost, if a camper/trailer or ship/vessel is used and normal costs of lodging are not encountered, or if other situations exist where full costs are not incurred, it would not be proper to reimburse the traveler at some minimum cost such as \$25 which, today, would result in excessive payment.

2. ANALYSIS OF MINIMUM COSTS

To date, legislation for increases in per diem and mileage expenses has been traditionally and properly concerned with the employee performing travel in higher cost areas who unavoidably encounters expenses above that permitted by statute. Justification and cost data have been developed toward this end. Legislation to date has not been concerned with employees at the opposite end of the spectrum who perform travel in lower cost areas, smaller towns, and rural areas since their expenses have always been under the ceiling.

When cost data are collected to support legislative per diem or mileage increases, they

whether the agency intends to exercise any options, and the projected cost of exercising options;

Fourth, changes in the performance specifications or estimates made by the contractor or by the agency and the reasons for any major changes in actual or estimated differences from those called for under the original contract specifications; and

Fifth, significant slippages in time schedules and the reasons therefor.

In preparing such reports, the Comptroller General shall utilize the records and reporting systems developed by the executive branch agencies and suggest improvements in such reporting systems as he deems appropriate.

I wish to point out to my colleagues that this amendment, a broadened and more flexible version of an amendment I first introduced during the debate on the fiscal year 1970 Defense Procurement Authorization bill, was adopted by the Senate during the 91st Congress when it passed S. 4432, the Budget and Accounting Improvement Act of 1970. The provision was contained in S. 460, a bill introduced during the 93d Congress by the distinguished Senator from Connecticut, Mr. Ribicoff, and myself and is currently pending in the Government Operations Committee.

Mr. President, I have discussed my amendment with the distinguished manager of the bill, the distinguished Senator from Montana who has suggested that the pending bill should not be amended by my provision. The pending bill, I understand, which deals with the responsibilities of the Government Accounting Office, is a result of lengthy consultations both with the GAO and the House and represents a measure acceptable to everyone. However, the distinguished Senator has stated to me that the Government Operations Committee intends to continue its work on a package of bills relating to the General Accounting Office and that my provision properly belongs in a bill entitled the "Accounting and Auditing Act of 1974", S. 3014. As a result I have acceded to his request not to pursue my amendment with his assurance that the committee will include my amendment in the legislation it brings to the Senate during the 94th Congress.

Mr. President, if the Members of Congress are to be able to participate meaningfully in the legislative process affecting major Federal programs of research, development, and procurement and to effectively analyze the validity of Federal outlays, we should have the benefit of the careful scrutiny of these programs by the Comptroller General. With a budget of more than \$300 billion and literally thousands of programs, more than 150 departments and agencies, it is obvious that the Members of Congress cannot personally review every program and analyze in detail every legislative proposal particularly involving projects of major Federal expenditure. We need help to carry out these responsibilities. I would hope that the distinguished manager of the bill would provide the Senate with some further indication of his commitment and intentions in this connection.

Mr. METCALF. Mr. President, the Subcommittee on Budgeting, Management and Expenditures of the Committee on Government Operations originated S. 3013 as a result of oversight hearings and discussion with the GAO. I assure the Senator from Pennsylvania (Mr. SCHWEIKER) that the subcommittee will give high priority to his request and suggestions in the next Congress and any legislation deemed necessary will have early consideration.

Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 12113.

The PRESIDING OFFICER. The bill will be stated by title.

The legislative clerk read as follows:

bill (H.R. 12113) to revise and restate certain functions and duties of the Comptroller General of the United States, and for other purposes.

The PRESIDING OFFICER. Without objection, the Senate will proceed to the consideration of the bill.

Mr. METCALF. Mr. President, I move to strike all after the enacting clause of H.R. 12113 and to substitute therefor the text of S. 3013 as reported and as amended.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (H.R. 12113) was passed.

Mr. METCALF. Mr. President, I ask unanimous consent that S. 3013 be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. METCALF. I yield back the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. CURTIS. I yield 5 minutes to the distinguished Senator from Delaware.

UPHOLSTERY REGULATORS

The Senate continued with the consideration of the bill (H.R. 421) to amend the Tariff Schedules of the United States to permit the importation of upholstery regulators, upholsterer's regulating needles, and upholsterer's pins free of duty.

Mr. ROTH. Mr. President, in answer to the statements made by the distinguished Senator from Wyoming, I would just like to point out that none of the proposals in this legislation, insofar as I am aware, were subject to hearings by the Finance Committee. As a matter of fact, I believe that point was raised by the distinguished Senator from Oregon.

The understanding was that we would consider some of the noncontroversial items that were included in the House bill. At two different times in the morning we took up the question of taxation of oil revenue. I made it very clear in my

discussions that I felt if we were going to consider this kind of tax legislation, it was critically important that we at least secure the \$400 million tax revenues referred to by the distinguished chairman of the committee.

That was my feeling then and it is my feeling today. I do not think there is any reason to particularly single out or favor the oil companies when many of these other tax matters were also not subject to Finance Committee hearings. I regret that that is true. It seems to me that it would have been very desirable long ago to have held hearings on tax reform, but that was not done.

At the same time, we are faced with the fact that if we do not correct the situation now, we are losing for all practical purposes \$400 million in revenues. I suppose while that is not huge in relation to our overall deficit, it is to me a very sizable step, and I think it is of particular importance to the American people. They feel that all American companies bear a fair burden of American taxation.

Again, as I understand it, these international oil companies in the last 5 years have paid roughly a 5-percent tax to the United States, whereas they have paid foreign taxes at an effective rate of between 20 and 29 percent. As I have already stated other companies, such as J. C. Penney, pay as high as 48.8 percent. A family of four, making \$15,000, with standard deductions, pay as high as 12.1 percent.

This is not equitable. The oil companies, like others, should bear a greater tax burden. In view of the oil companies' large profits last year it seems particularly unconscionable that we pass any tax bill without securing additional revenue from these windfall profits.

As I stated earlier, for that reason, I hope that the Senate will not vote for cloture.

The PRESIDING OFFICER. Who yields time?

Mr. LONG. I yield 1 minute to the Senator from Idaho.

Mr. McCLURE. Mr. President, I send an amendment to the desk on behalf of myself and Senator Church, and I ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. LONG. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the appropriate place in the Act insert the following new section:

"Sec. . Interest on obligations issued by the American Falls Reservoir District to finance and construct a dam and related facilities to replace the existing American Falls dam of the Minidoka Project, Idaho-Wyoming, pursuant to a contract with the Secretary of Interior under authority contained in the Act of December 28, 1973 (87 Stat. 904) shall be exempt from all income taxation now or hereafter imposed by the United States."

The PRESIDING OFFICER. Who yields time?

December 17, 1974

CONGRESSIONAL RECORD — SENATE

S 21767

are invariably stated in average figures thereby accounting for both high and low cost data in one summary amount. Since statute has never embraced a minimum or base rate, low cost travel has been invariably given little recognition.

In view of the \$25 minimum rate being proposed, low cost data now become important in determining whether a minimum rate concept is viable. A commercial publication, "The Runzheimer Meal-Lodging Cost Index," provides minimum, maximum, and average cost data for meals and lodgings in approximately 100 major cities in the U.S.

Enclosed is an array of the pertinent data. The average cost data for those cities, as of April 1974, were printed in the House Report on H.R. 15903 without discussion of minimum costs. The average cost for 2/3 of those cities ranges from \$25-\$48.50. The average cost for the remaining 1/3 ranges from \$19-\$25. However, the overall average cost data does not reflect the fact that 96 of those same cities have minimum costs for meals and lodging ranging from \$12 to \$25. Of those 96 cities, 83 are between a \$14 to \$21 minimum cost range. These costs are for only the 100 major U.S. cities.

A great amount of Government travel is performed in small towns and rural areas where much lower costs are encountered. Our studies indicate that approximately 1/2 of all Government travel is being accomplished with in the \$25 ceiling. At one large department, travel costs incurred during FY 1974 ranged from \$13.87 to beyond the \$25 ceiling. At another large agency, the range of actual costs incurred was from \$13.10 to above the \$25 ceiling.

Based on the Runzheimer index and on actual experience of the departments and agencies, we can find no basis of logic to a \$25 minimum per diem rate.

Similarly, with respect to the proposed 15 cents minimum mileage rate, we find that although this rate is generally consistent with current costs incurred, a minimum rate concept does not provide the needed administrative flexibility to reimburse at a lower rate in those situations when it is not to the advantage of the Government for the traveler to use his privately owned vehicle.

May we reaffirm the Administration's strong support of existing legislative practice wherein a ceiling is established and Government travelers are reimbursed on a "lodgings-plus" concept for actual expenses incurred. Under this concept, when the ceiling is adequate, all employees are reimbursed for legitimate costs incurred whether travelling to rural areas and small towns or to the larger cities. Should the present ceiling of \$25 be increased to \$35, it would be our intention to establish immediately an administrative limit of \$30 (within the \$35 ceiling) to relieve current per diem inadequacies.

The Office of Management and Budget has advised that there is no objection to the submission of this report and enactment of a bill containing minimum rates would not be in accord with the program of the President.

Sincerely,

ARTHUR F. SAMPSON,
Administrator.

Mr. HUDDLESTON. Mr. President, we have included both statutory floors and ceilings on the mileage reimbursement. This policy was instituted to insure that employees are reimbursed for what it actually costs to operate privately owned vehicles. Studies relied on by both the House and Senate indicate that the current operating costs for a privately owned vehicle is 15 cents per mile. This is the rate that the conferees have set as the minimum for automobiles.

Mr. President, in this inflation-recession period, the argument for increased Government cost is particularly sensitive. However, two points are relevant here. First, the underlying principle behind this legislation is that employees should not be subsidizing the Government for expenses incurred while on official business; nor should employees profit by travelling on behalf of the Government. Second, the bill contains language that provides that all increased expenditures for fiscal year 1976 resulting from the enactment of this legislation must be absorbed by the agency's present budget. Travel will have to be reduced in order to offset the increased expenditures. In conjunction with the Roth amendment to the supplemental appropriations bill, the goal of eliminating needless travel, at least for fiscal year 1976, might be met.

Mr. President, I move the adoption of the conference report to S. 3341.

Mr. PERCY. Mr. President, this bill will give the Administrator of General Services the flexibility to continue utilizing the "lodging plus" concept of per diem reimbursement, section 5707(a) does not preclude the use of the current "lodging plus" method of computing per diem. Under this method, the traveler is allowed a fixed amount for meals and expenses as determined by the Administrator plus the cost of lodging. The resulting amount, subject to the statutory limit, is the per diem rate applied to the traveler's reimbursement. If the Administrator determines that the mileage allowances fall below the statutory minimum authorized in the bill, we encourage and direct GSA to work with the Congress to draft legislation which would resolve any inequities.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Kentucky.

The motion was agreed to.

UPHOLSTERY REGULATORS

The Senate continued with the consideration of the bill (H.R. 421) to amend the Tariff Schedules of the United States to permit the importation of upholstery regulators, upholsterer's regulating needles, and upholsterer's pins free of duty.

Mr. LONG. Mr. President, I yield back the remainder of my time.

Mr. CURTIS. I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back.

The pending cloture motion will be stated.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on the committee substitute for H.R. 421.

Russell B. Long, Herman E. Talmadge, Robert Dole, Claiborne Pell, Frank E. Moss, Hugh Scott, Walter F. Mondale, Lloyd Bentsen, Bob Packwood, Wallace F. Bennett, Carl T. Curtis, Paul J. Fannin, Clifford P. Hansen, Robert P. Griffin, Robert C. Byrd, Adlai Stevenson.

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair directs the clerk

to call the roll to ascertain the presence of a quorum.

The second assistant legislative clerk called the roll, and the following Senators answered to their names:

[No. 560 Leg.]

Allen	Fannin	McClure
Baker	Griffin	McGee
Bartlett	Gurney	Metzenbaum
Beall	Helms	Pearson
Brock	Huddleston	Percy
Buckley	Hughes	Roth
Burdick	Jackson	Scott
Byrd, Robert C.	Javits	William L.
Case	Johnston	Stafford
Cook	Long	Stevens
Curtis	Mathias	
Dole	McClellan	

The PRESIDING OFFICER. A quorum is not present.

Mr. ROBERT C. BYRD. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After some delay, the following Senators entered the Chamber and answered to their names:

Abourezk	Goldwater	Packwood
Aiken	Hansen	Pastore
Bayh	Hart	Pell
Bennett	Hartke	Proxmire
Biden	Haskell	Randolph
Brooke	Hatfield	Ribicoff
Byrd	Hollings	Schweiker
Harry F., Jr.	Hruska	Scott, Hugh
Cannon	Inouye	Sparkman
Chiles	Kennedy	Stennis
Church	Magnuson	Stevenson
Clark	McGovern	Symington
Cotton	McIntyre	Taft
Cranston	Metcalfe	Talmadge
Domenici	Mondale	Thurmond
Dominick	Montoya	Tower
Eagleton	Moss	Tunney
Eastland	Muskie	Welcker
Ervin	Nelson	Williams
Fong	Nunn	Young

The PRESIDING OFFICER (Mr. McClure). A quorum is present.

VOTE

The PRESIDING OFFICER. The question is, Is it the sense of the Senate that debate on the committee substitute for H.R. 421, permitting duty-free importation of certain upholstery equipment, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Texas (Mr. BENTSEN), the Senator from Nevada (Mr. BIBLE), the Senator from Alaska (Mr. GRAVEL), the Senator from Arkansas (Mr. FULBRIGHT), and the Senator from Minnesota (Mr. HUMPHREY) are necessarily absent.

I further announce that the Senator from Montana (Mr. MANSFIELD) is absent on official business.

I also announce that the Senator from Maine (Mr. HATHAWAY), is absent because of a death in the family.

I further announce that, if present and voting, the Senator from Minnesota (Mr. HUMPHREY) would vote "yea."

Mr. GRIFFIN. I announce that the

December 17, 1974

Senator from Oklahoma (Mr. BELLMON) is necessarily absent.

The yeas and nays resulted—yeas 67, nays 25, as follows:

[No. 561 Leg.]

YEAS—67

Atourezk	Hartke	Muskie
Baker	Haskell	Nelson
Bartlett	Hatfield	Nunn
Bayh	Hollings	Packwood
Bennett	Hruska	Pastore
Brock	Huddleston	Pearson
Burdick	Hughes	Pell
Byrd, Robert C.	Inouye	Randolph
Clark	Jackson	Ribicoff
Cook	Javits	Scott, Hugh
Cotton	Johnston	Sparkman
Cranston	Kennedy	Stafford
Curtis	Long	Stevens
Dole	Magnuson	Stevenson
Domenici	Mathias	Symington
Dominick	McClure	Talmadge
Eagleton	McGee	Tower
Fannin	McGovern	Tunney
Foran	McIntyre	Weicker
Goldwater	Metzenbaum	Williams
Griffin	Mondale	Young
Hansen	Montoya	
Hart	Moss	

NAYS—25

Alken	Case	Percy
Allen	Chiles	Proxmire
Beall	Church	Roth
Biden	Eastland	Schweiker
Brooke	Ervin	Scott
Buckley	Gurney	William L.
Byrd	Helms	Stennis
Harry F., Jr.	McClellan	Taft
Cannon	Metcalf	Thurmond

NOT VOTING—8

Bellmon	Fulbright	Humphrey
Bentsen	Gravel	Mansfield
Bible	Hathaway	

The PRESIDING OFFICER. On this vote there are 67 yeas and 25 nays. Two-thirds of the Senators present and voting having voted in the affirmative, the cloture motion is agreed to.

SOCIAL SERVICES AMENDMENTS OF 1974

The Senate continued with the consideration of the bill (H.R. 17045) to amend the Social Security Act to establish a consolidated program of Federal financial assistance to encourage provision of services by the States.

The PRESIDING OFFICER (Mr. McCLELLAN). The question is, Shall the bill pass?

Mr. LONG. Mr. President, as I understand it, we have advanced to third reading, and it was agreed that immediately after the vote on cloture we would have the vote on final passage of the bill previously considered.

The PRESIDING OFFICER. That is correct.

Mr. LONG. So now before we proceed with the tax bill, we will vote on final passage of the Social Services Amendments of 1974, H.R. 17045.

The PRESIDING OFFICER. That is correct. The question is, Shall the bill pass?

The yeas and nays have not been ordered.

Mr. LONG. Mr. President, I believe it was the desire that the yeas and nays be ordered on that bill. So I request the yeas and the nays.

The PRESIDING OFFICER. Is there a sufficient second?

The yeas and the nays were ordered.

Mr. LONG. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. LONG. This is the bill dealing with the Social Services Amendments of 1974 we are voting on?

The PRESIDING OFFICER. The Senator is correct.

The yeas and nays have been ordered, and the clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senate will be in order so that the Members may hear their names being called.

The clerk will continue.

The second assistant legislative clerk resumed and concluded the call of the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Texas (Mr. BENTSEN), the Senator from Nevada (Mr. BIBLE), the Senator from Arkansas (Mr. FULBRIGHT), the Senator from Alaska (Mr. GRAVEL), the Senator from Arkansas (Mr. McCLELLAN), and the Senator from Minnesota (Mr. HUMPHREY) are necessarily absent.

I further announce that the Senator from Montana (Mr. MANSFIELD) is absent on official business.

I also announce that the Senator from Maine (Mr. HATHAWAY) is absent because of death in the family.

I further announce that, if present and voting, the Senator from Maine (Mr. HATHAWAY) and the Senator from Minnesota (Mr. HUMPHREY) would each vote "yea."

Mr. GRIFFIN. I announce that the Senator from Oklahoma (Mr. BELLMON) is necessarily absent.

The result was announced—yeas 74, nays 17, as follows:

[No. 562 Leg.]

YEAS—74

Abourezk	Hartke	Nunn
Alken	Haskell	Packwood
Baker	Hatfield	Pastore
Bayh	Hollings	Pearson
Beall	Hruska	Pell
Biden	Huddleston	Percy
Brock	Hughes	Proxmire
Brooke	Inouye	Randolph
Burdick	Jackson	Ribicoff
Byrd, Robert C.	Javits	Roth
Cannon	Johnston	Schweiker
Case	Kennedy	Scott, Hugh
Chiles	Long	Sparkman
Church	Magnuson	Stafford
Clark	Mathias	Stevens
Cook	McGee	Stevenson
Cranston	McGovern	Symington
Dole	McIntyre	Taft
Domenici	Metcalf	Talmadge
Eagleton	Metzenbaum	Tower
Fong	Mondale	Tunney
Griffin	Montoya	Weicker
Hansen	Moss	Williams
Hart	Muskie	Young
	Nelson	

NAYS—17

Allen	Curtis	McClellan
Bartlett	Dominick	Scott
Bennett	Ervin	William L.
Buckley	Fannin	Stennis
Byrd	Goldwater	Thurmond
Harry F., Jr.	Gurney	
Cotton	Helms	

NOT VOTING—9

Bellmon	Fulbright	Humphrey
Bentsen	Gravel	Mansfield
Bible	Hathaway	McClellan

So the bill (H.R. 17045) was passed.

Mr. KENNEDY. Mr. President—

Mr. LONG. Mr. President—

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. LONG. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. HANSEN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LONG. Mr. President, I move that the Senate insist upon its amendments and requests a conference with the House of Representatives thereon, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to, and the Presiding Officer appointed Mr. LONG, Mr. HARTKE, Mr. RIBICOFF, Mr. MONDALE, Mr. FANNIN, Mr. HANSEN, and Mr. DOLE conferees on the part of the Senate.

UPHOLSTERY REGULATORS

The Senate continued with the consideration of the bill (H.R. 421) to amend the Tariff Schedules of the United States to permit the importation of upholstery regulators, upholsterer's regulating needles, and upholsterer's pins free of duty.

The PRESIDING OFFICER. The Senate now returns to the consideration of H.R. 421.

Mr. LONG. Mr. President, I wish to say a word or two about germaneness before we go any further.

Mr. President, in my opinion, it is a compact between Senators when cloture is voted that we will not consider or add to the bill amendments that are not germane to the bill.

I know Senators offering amendments would like to offer something which, by their views, would be germane to the bill but sometimes Senators tend to vote the merits of the case rather than the germaneness when they are called to vote on that matter.

It seems to me that when we vote cloture on a bill and ask Senators to shut off debate and bring something to a vote, Senators should know what they are expected to vote on. The benefit of the doubt should be given those who are opposed to germaneness.

It seems to me that precedents are in favor of a narrow germaneness rule and that the least we can do is to abide by the judgment of our Parliamentarian whose credentials, in my judgment, are absolutely beyond any question. I believe his integrity down through the years support those credentials—that has been as long as I have been here—and that we can rely on the Parliamentarian to give us his opinion on a matter like germaneness, quite apart and beyond the demands of politics and expediency.

It seems to me, Mr. President, that having voted cloture, the Senate should almost as a matter of honor deem it its duty to abide by the opinion of its Parliamentarian unless it can be agreed that we will give consent to someone to offer an amendment that is not germane.

I say that, Mr. President, because if amendments are added to this bill which, in my judgment, are not germane, and in